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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

6 * * *

7 DAWNYELL FLYNN,

8 Plaintiff,

9 v.

10 WILLIAM RUBERT,

11 Defendants.

Case No. 25-cv-00340-RFB-BNW

ORDER

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13 Petitioner Dawnyell Flynn, a *pro se* Nevada prisoner, commenced this habeas action by
14 filing a Petition for Writ of Habeas Corpus. ECF No. 1-1. In her petition, Flynn requested that the
15 Court appoint Michael Lasher, Esq. to represent her in the federal habeas proceedings. The Court
16 informed Flynn that she is not entitled to the appointment of counsel of her choosing but provided
17 Flynn 30 days to file an objection to the Court provisionally appointing the Federal Public
18 Defender to represent her. Flynn did not file an objection. Accordingly, the Court finds that the
19 appointment of counsel in this case is in the interests of justice.

20 **IT IS THEREFORE ORDERED** that the Federal Public Defender is provisionally
21 appointed as counsel and will have 30 days to undertake direct representation of Petitioner or to
22 indicate the office's inability to represent Petitioner in these proceedings. If the Federal Public
23 Defender is unable to represent Petitioner, the Court will appoint alternate counsel. The counsel
24 appointed will represent Petitioner in all federal proceedings related to this matter, including any
25 appeals or certiorari proceedings, unless allowed to withdraw. A deadline for the filing of an
26 amended petition and/or seeking other relief will be set after counsel has entered an appearance.
27 The Court anticipates a deadline of approximately 90 days from entry of the formal order of
28 appointment.

1 **IT IS FURTHER ORDERED** that any deadline established and/or any extension thereof
2 will not signify any implied finding of a basis for tolling during the time period established.
3 Petitioner at all times remains responsible for calculating the running of the federal statute of
4 limitation period and timely presenting claims. That is, by setting a deadline to amend the petition
5 and/or by granting any extension thereof, the Court makes no finding or representation that the
6 petition, any amendments thereto, and/or any claims contained therein are not subject to dismissal
7 as untimely. See Sossa v. Diaz, 729 F.3d 1225, 1235 (9th Cir. 2013).

8 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to send a copy of
9 this order to the *pro se* Petitioner, the Nevada Attorney General, the Federal Public Defender, and
10 the CJA Coordinator for this division.

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12 **DATED:** May 21, 2025.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE